

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
WILLIE GREEN,

Petitioner,

v.

CAROL MECI,

Respondent.  
\_\_\_\_\_

FILED  
CLERKS OFFICE  
2004 MAY 14 P 12:54

U.S. DISTRICT COURT  
DISTRICT OF MASS

Civil Action No. 04-10360-JLT

**ASSENTED-TO MOTION TO EXTEND TIME  
TO RESPOND TO PETITION FOR WRIT OF HABEAS CORPUS**

The respondent, by and through her counsel, the Attorney General of the Commonwealth of Massachusetts, hereby requests that the Court extend the time within which she must respond to the Petition for Writ of Habeas Corpus that is the subject of the captioned action. The respondent's answer or other responsive pleading presently is due on May 17, 2004.<sup>1</sup> By this motion, the respondent requests an extension to and including June 18, 2004. The petitioner's counsel has assented to the requested extension. As grounds for this motion, the respondent states as follows:

1. The records relating to the petitioner's underlying state-court convictions are maintained by the Office of the District Attorney for Suffolk County (the "Suffolk DA").
2. Upon receipt of this Court's Order, the undersigned assistant attorney general promptly caused a request to be made to the Suffolk DA for assembly and production of relevant portions of the underlying state-court record, including, but not limited to, copies of the trial transcripts and post-conviction proceedings. The undersigned counsel recently received the documents, which are being copied; due to time constraints, however, the undersigned counsel has

\_\_\_\_\_  
<sup>1</sup> The actual response date is May 15, 2004, which is a Saturday.

not yet had the opportunity to review the state-court records.

3. Without review and analysis of the relevant records, the respondent cannot meaningfully evaluate threshold defenses under the Antiterrorism and Effective Death Penalty Act (AEDPA), such as whether the petitioner properly exhausted available state-court remedies as required by 28 U.S.C. § 2254(b)(1) and whether the petition is timely filed in accordance with 28 U.S.C. § 2244(d).

4. The extension sought herein will enable the respondent to compile and evaluate all of the relevant records, and, thereby, be in a position to meaningfully respond to the petition.

5. Moreover, the undersigned counsel states that she presently is handling a large caseload of post-conviction matters for the Commonwealth of Massachusetts, including numerous federal habeas corpus petitions. In the next thirty days, for example, the undersigned counsel has three memoranda of law due in three separate federal habeas matters pending in the United States District Court for the District of Massachusetts; two answers due in two other federal habeas corpus actions; three motions to dismiss due in Massachusetts Superior Court; an Appellee Brief due in the First Circuit Court of Appeals; and various court hearings and court conferences.

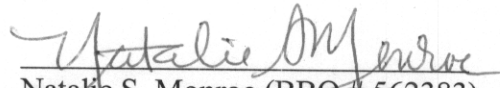
6. Pursuant to L.R. 7.1(A)(2), the undersigned counsel conferred with the petitioner's counsel by telephone on May 13, 2004; the petitioner's counsel agreed to the extension of time.

**WHEREFORE**, the present motion should be allowed and an order should enter allowing the respondent up to and including June 18, 2004 to answer or otherwise respond to the petition.

Respectfully submitted,

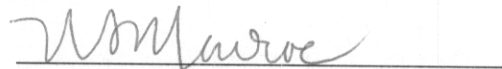
THOMAS F. REILLY  
ATTORNEY GENERAL

Dated: May 14, 2004

  
Natalie S. Monroe (BBO # 562383)  
Assistant Attorney General  
Criminal Bureau  
One Ashburton Place  
Boston, MA 02108  
(617) 727-2200, x2833

**Certificate of Service**

I hereby certify that on May 14, 2004, I caused a copy of the above document to be served by first-class mail, postage prepaid, upon the petitioner's counsel, Philip G. Cormier, Esq., Good & Cormier, 83 Atlantic Avenue, Boston, Massachusetts 02110.

  
Natalie S. Monroe



THOMAS F. REILLY  
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108-1598

(617) 727-2200

www.ago.state.ma.us

May 14, 2004

**By hand**

Anthony Anastas, Clerk  
United States District Court  
District of Massachusetts  
One Courthouse Way  
Boston, MA 02210

**Re: Green v. Meci,  
Civil Action No. 04-10360-JLT**

Dear Mr. Anastas:

Enclosed please find the respondent's *Assented-to Motion to Extend Time to Respond to Petition for Writ of Habeas Corpus* for filing in the above-referenced matter.

Please do not hesitate to contact me if you have any questions. Thank you very much for your assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Natalie S. Monroe".

Natalie S. Monroe  
Tel. (617) 727-2200, ext. 2833

Enclosure

cc: Philip G. Cormier, Esq. (with enclosure)

